

# THE POCAHONTAS TIMES

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CALVIN W. PRICE, Editor.

THURSDAY APRIL 12, 1923

Marlinton, W. Va., April 7, 1923. A good deal is going on in this town this week. The big court is in session. The steam shovel is injuring the trailing arbutus along the Seneca Trail. And the Four Horsemen of the Apocalypse was given at the theater.

The time of the court the first week was taken up with the subjects of moonshine and murder, an unhappy pair which the devil has joined together. The jury passed on six whiskey cases the first week in which three verdicts were guilty and three were not guilty. One man interposed the defense that a barrel of matter set his back yard near the gate was hog feed and not mash for the manufacture of whiskey. A jury of farmers mostly inspected the samples and brought in a verdict of guilty. In these trials at the courthouse the distilling cases which are felonies require a stage setting. The apparatus is set up in the open space before the jury box and the legal battle is waged around the still. The unfortunate manufacturer sees his plant under new conditions, and in most cases he refuses to recognize it.

There is one feature to these trials that is regrettable, and that is to see the display of the season's catch exhibited before the body of the county of Pocahontas in open court assembled, leads a stranger to believe that moonshining is common in this county. That is not so. The stills are maintained in the profoundest secret and no one is allowed to continue a day after its existence is suspected. The average citizen does not know where he could get a drop of liquor if his life depended upon it. He does not even think of it as an item of any interest to him in his scheme of life.

It is a precarious business at best. In the Weekly case, it looks like the owner endeavored to locate in Greenbrier county and got into Pocahontas inadvertently. He was in Teaberry hollow a little valley about a mile long which opens into the Greenbrier river well across the line in Greenbrier but the river here seems to have been turned off its general north and south course and when the man went a short distance to the right angles to the river he crossed the line back into this county, the line at this place angling up the hill at an acute angle. Here a couple of Jim Rock's boys of school age took a night cut home with their grandfather, George B. Cochran, an octogenarian. As they walked up the mountain, Mr. Cochran noticed that a tree had been sawn down, and as that was on his land he got interested. He had given no one permission to cut timber. Peering through the big laurel the boys saw the defendant and heard some talk about wood for a hot fire that night, and saw them working with a still. Weekly was convicted.

The Hatfield still was found on Bucks Run a beautiful little tributary of Swago Creek. This enterprise had been suspected for some months. Last fall a raid was made at a secluded place on Swago Mountain, called Camp Secret, on account of a hidden camp there by some soldiers in the Civil War, but the still was not found. In February, the officers beginning at Ernest Welford's house followed a path to the summer spring and close there they found signs of a furnace and a few steps farther on found the still in a tree top. Continuing the search they came to a place where a tree had fallen out of root, and the ground sounded hollow. Uncovering some ground hidden by leaves they found a box buried in the ground, and in it were two tubs of mash, and a lantern burning to generate heat to hasten the fermentation. Hatfield, a boarder at Ernest Welford's was taken and he confessed and was sentenced to the penitentiary, and he took all the blame on himself, and exculpated Welford from any guilty knowledge or complicity in the enterprise. A long trial was had over Welford, but he protested his innocence so strongly before the jury, that after a long deliberation, a verdict of not guilty was brought in. Welford showed that he was kept in the house ten days before the raid nursing a sick baby, so it might be said that his defense was a lullaby.

In the case of Emory Lester, a somewhat similar case, Tracy Phillips was seized red handed with a still in his house on the head of Clover Creek last fall and was tried and sentenced to State prison. After his conviction he accused Lester as being the owner of the still. Phillips was brought back from the convict camp to testify and the jury brought in a verdict of guilty. In the trial of the case, the witness Phillips fell down on some important details. He testified that when the officers came in sight of his house that Lester was present and ran through an open field and got away. The officers testified that they had seen no one, and the trial judge remembered that at the trial of Phillips, that an officer testified that he had lain nearby on a summer's day and watched the house from before daylight until the posse came back to make the raid and that there were no other persons visible on the Phillips premises besides the Phillips family. Lester had a good alibi also as having been in Marlinton on that day. The court feeling that there was danger here of convicting an innocent man, set the verdict aside, and on motion of the prosecuting attorney, a nolle was entered in the case. The action of this court in this matter met with universal approval, for it is important that in this war on evil that the men charged with meeting out justice keep their heads. And this thing of danger from false accusation is an ever present source of discomfort.

There was a feature of the vigilance of the officers of the law present at this court that ought to give the potential moonshiner pause, and that

was an observer in the shape of a federal officer who heard and weighed the evidence as it was given and in some cases the defendant was informed that he would get a trip to Charleston there to answer for alleged violations of the federal law in regard to intoxicating liquor. It is a day full of sorrow for the lawbreaker Round about the cauldron go. In the reeking ferment throw, Mash preparing for the stew. Days and nights had twenty-two, Sweltered venison, sleeping rot, Boil thro' first in the charmed pot; With furtive air and bated breath, Spirits of potential death, Sticks the fire and stir the stew, Bottle up the devil brew, For a charm of powerful trouble, Like a hell-broth boil and bubble, Double, double toil and trouble, Fire burn and cauldron bubble.

The case of the State against William Dudley was called on Thursday and ended on Saturday when the jury brought in a verdict of murder in the first degree with life imprisonment. The charge was the murder of Bascom McFall. The indictment was against William Dudley, Samuel Davis, and a negro locally known as Jollyroll. The negro was sentenced some years ago in this county for another murder and is now held as an insane criminal. Davis and Dudley, two men of mature years, were led to the bar, and the jury elected to be tried separately. Davis was sent back to jail and was not called as a witness by either side.

Dudley is a man about forty, sandy complexion, and with an iron nerve. He was raised at Caldwell in Greenbrier county. On the 19th day of December, 1918, Bascom McFall, a young man whose home was in Greenbrier county, drew his pay and came out of the woods at Cass, to take the afternoon train for his home. It was the first time he had ever been away from home and he had a pocketful of money and was now going home for the Christmas holidays. He went across the river at Cass to the east side while waiting for the train, got some liquor, missed his train, and the next morning he was missing. His body was found in April of the following year in the thicket near Cass. It was apparent that he had been murdered by the cutting of the throat and that his body had been hidden behind a log. The case caused great excitement at the time, especially on the account of the fact that about that period a number of woodsmen had been found dead and it looked like a system of thuggery had been established. A Burns detective went to work on the case together with the local officers, but the years passed without enough evidence to warrant a trial. Last winter certain disclosures were made by witnesses who were in Cass on the night of the murder, and an indictment was found at the March term, 1923, and the trial resulted. The venire of jury men having been exhausted in securing a panel of twelve for the one trial it was decided to postpone the trial of Davis until the June term.

The case was painstaking and exhaustive. Edgar and Hill for the State presented a most wonderfully prepared accusation, and McNeill made a notable defense for the prisoner. Dudley was convicted four years to the day from the time the body was found. Owing to the fact that the trial of Davis is impending, it is not thought advisable to go into the evidence in detail at this time. "Court will continue until the 19th, and perhaps longer. Turning from the tragedies of the court-house to those of the drama, some of us sat for two hours and fifteen minutes studying the terrible side of life in the little theater, in the presentation of the Four Horsemen of the Apocalypse, of the 6th chapter of Revelations, the white horse of conquest, red horse of war, the black horse of pestilence, and the pale horse of death. The play based on the book of that name by this person Ibenex, the Spanish writer, whose intense books, I do not care for.

The moving picture the highest form of drama. It is another case proving that as to drama the public is always right. Certainly it is not hard on the tympanum. The play starts with a scene in Argentina, where the old catfish looks out on a plain containing thousands of fine bred cattle. This landscape alone is a wonder and if the play had ceased right in the beginning there would have been something to remember. The old catfish dies and leaves his millions to his two daughters. One has married a German and they go to France, and in this way, the world war opens with one family fighting on the German side and the other fighting on the French side, and from that time on it is a war picture.

The Four Horsemen of the Eucalyptus appear momentarily from time to time but do not greatly figure in the production. Just about enough to give it a name that is hard to remember. The last sight of them is when they are pointed out as still riding as they will ride to the end of time, at full gallop, in the middle distance where they are too far off to show their bellish characteristics and in this final glimpse they look more like Four Horsetraders of the Apalaches. There are many dramatic thrills. The execution of four or five French citizens by a German firing squad, and the defiance that the victims showed is a great moment.

The problem of the picture to us was the mysterious benignant Stranger who figured in the life of Paris. In our group we guessed all the way from the Saviour to the Wondering Jew, but in the watches of the night it occurred to me that it was meant to portray the presence of Saint John the Divine, the writer of the Book of Revelations. There were three: John the Baptist, John whose surname was Mark, and Saint John. It is very good for the soul to sit through such tribulation as this performance portrays. It is enough to cause fires that are dying down to blaze again, to see the American troops against the dawn of the morning under the stars and stripes march-

ing to settle the conflict. And the lesson shows the uselessness of war, and rouses again the resentment against the war party in Germany that brought on the trouble. Yet about once in a lifetime it is enough for this agony. I greatly prefer the portrayal of incidents in the life of pleasant people, and the inevitable happy ending, the quid pro quo, for which I have paid my quarter. Let me enjoy this breathing spell of peace.

It is probably true that the four horsemen still ride. Outside of the river now look like a devastated area in France, for a steam shovel has sheared away the foot of the mountain. The curse of the road, the horrid name "Detour," has been posted and we are being impeded half to distraction by the great state highway. We have a new name for our place. We call it "The Scar." Just across from our house among the innumerable small stones the first trailing arbutus used to show up. It is no more. The contest between the steam shovel and the arbutus was an unequal struggle. The glorious aria of peace are being practiced and the steam shovel flitted up and down the road for days with a mysterious caterpillar tread, and has passed on. The caterpillar part of the contraption looks like an endless chain belt, but how on earth one part of a belt can move while the other part remains quiescent, is more than I have been able to figure out.

There is another matter I want to discuss. It is a question of natural history. A bird question, and I was always weak on birds. A gentleman came to me on the street and knowing my propensity to talk about things that I know little about, said that his home was in Greenbrier and that they had positively identified the nightingale as a habitat of that county. At the time I treated it as unimportant even if true, and as I was at the moment in pursuit of my daily bread, I did not go into the question with him as fully as I might have if I had had the news switch thrown on. But I did ask him a few questions on cross-examination, and found that he was basing his allegation on the powers of a certain bird to mimic other birds.

This I later referred to the local ornithologists, Col. O. H. Kee and Ligon Price, and in an informal investigation which we conducted it was decided that the bird that they have mistaken for a nightingale is the yellow breasted chat, the mirth provoking clown among birds, which can mimic all other birds. Especially is it good on the opening notes of the bob white. And its rendition of a bunch of young crows is greatly appreciated by all bird-lovers. It is a distant cousin of the nightingale, but while the nightingale is supposed to find a roebush and push its breast against a thorn and warble a plaintive melody that produces tears and poems in the nighttime, in the old country, our well beloved chat is found reproducing the discussion that goes on in the nest of the crows, as to which one shall have the tidbit that old man crow has brought home for the family. The chat will accompany his performance with the most ludicrous flitting of the tail and twisting of the head. The next time you hear something break loose in the woods in the nature of vaudeville, if you are careful you may see this actor at work. Even in flying, this bird is mirth provoking, as it jerks its tail up and down.

The nightingale is not an American bird. One of the names for the common red bird, the one that is seen in winter sometimes, is the Virginia nightingale, but there seems to be no good reason to liken it to the nightingale. This is the cardinal virginianus. It belongs to the gros-beak (big bill) family. So on the whole we reject the report that nightingales have come to Greenbrier county, with all due respects to the gentleman who reported them. It is a case of mistaken identity. The nightingale is a very old bird. It is mentioned in mythology as being the reincarnation of the unhappy Philomela. There were a lot of unpleasant persons in the connection. If you want to appear knowing you can call that bird, Philomela. It seems that Philomela was married to Tereus, King of Dauiis, and he got tired of her and married Procne, his sister in law, telling her that Philomela was dead. When Procne learned the truth she threatened to spill the beans, and the king to keep her quiet cut out her tongue. Procne could not write but she could do needlework and she worked on a robe and that made Philomela wise. The two sisters in order to show that they disapproved of the king's action, butchered Itys, the king's son, and served his meat up to the king at table. Things had got to such a pass that the gods could no longer ignore the carryings on and changed them: all to birds. Procne became a swallow; Philomela, a nightingale; Tereus, a hoopoe; Itys, a pheasant. And to fly over them all, Pandion, King of Attica, was made a fishhawk. Milton says: "The wakened nightingale; she all night long her amorous descent sung."

That statement should be modified owing to the fact that only the male of the species sings, the female being mute. We are anxiously awaiting a bunch of confidential chats that frequented our clearing last year and made a noise like a wagon load of monkeys with their tails burned off. These chats went on the southern tour.

**For Sale**  
20 H P Frick sawmill boiler and engine complete. Good 60 Diston saw, Cutoff saw, lot light steel rail, lathe mill, one lumber truck.  
Nixon & Pritchard, Dunmore, W. Va.

**FARM FOR SALE**—200 acres on Cloverlick, good rich land, about 70 acres in sod. Balance out overland, but has a lot of good timber on it. House, barn, and fine water.  
Kills M. Buzard, Huntersville, W. Va.

**Administrators Notice**  
All persons having claims against the estate of A. B. Ware deceased will present them properly proven to the undersigned administrator for payment. All persons owing said estate will please prepare to settle at once.  
Given under my hand this 6th day of March 1923.  
J. D. MACE  
Adm'r of A. B. Ware, Mace, W. Va.

**Executor's Notice**  
Persons having claims against the estate of Mrs. Lettie Rogers, deceased, will file them with the undersigned properly proven.  
I will receive offers for the real estate willed to be sold, a house and lot in West Marlinton; all offers subject to approval of the legatees of the will, and with the right to reject any and all bids. This is the property occupied by Mrs. Rogers in her lifetime.  
CALVIN W. PRICE, Executor

**Fiduciary Notice**  
Notice is hereby given that the final settlements of the accounts of W. J. Yeager, administrator of the estate of the late Peter D. Yeager, is before the undersigned Commissioner of Accounts of Pocahontas County, W. Va.  
T. S. McNEEL, Comr.

**NOTICE TO TEACHERS**  
The District Secretaries report to me that a very few teachers have turned in Enumeration Reports. These reports should be sent to Secretary soon after April 1st. A delay will greatly inconvenience the secretaries and myself.  
G. D. McNEILL, Co. Supt.


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## WRIGLEYS

Top off each meal with a bit of sweet in the form of WRIGLEYS. It satisfies the sweet tooth and aids digestion. Pleasure and benefit combined.



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A share of your business solicited

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Marlinton W. Va.

Successor of Goodsell Insurance Agency

Life, Fire and Accident, Automobiles and Live Stock, Bonds of all kinds, Money to Loan on Farms.

Office 2nd floor, First National Bank Building.

**For Sale**  
One and one fourth acres ground, good four room house with two porches, cement cellar and good well at kitchen door, wood house, chicken house and all out buildings.  
Terms reasonable.  
C. M. Jordan, Huntersville, W. Va.

**Look Farmers**  
Twice as much potash in Little Giant Crop Growers as formerly used. See your V-C dealer before buying.

**Man Wanted**  
An allround carriage man to work on band mill of the Marlin Lumber Company. Apply to H. A. OVERHOLT, Marlinton, W. Va.

**Bees For Sale**  
Full blood Italian bees, colonies in patent hives. Free from disease. \$8.00 per colony, delivered to express office.  
A. R. MOORE, Marlinton, W. Va.

**Bark to Peel**  
I want to contract the cutting and peeling of 2,000,000 feet spruce and hemlock, reliable parties wanted. Also two teams for sale 5 and 7 yrs old weight 2,800 and 2,900 lbs good farm or log horses, reason for selling too many horses, apply to CLIFF SHARP, Huntersville, W. Va.

**FOR SALE OR RENT**  
73 acres of grazing land, mostly all in sod, and all under fence, lying in Levels District on public road adjoining the land of L. B. Shrader and others. Anyone looking for a good grazing place will do well to see me. Will give good terms on same and possession will be given the first of April, 1923.  
B. C. SHRADER, Huntersville, W. Va.

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The Pocahontas County Farm Loan Association of Marlinton, Pocahontas County, West Virginia, has money to loan to farmers on farm land, on easy terms.

Call on the undersigned and fill out an application blank.

P. T. WARD, Sec.-Treas.

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Marlinton, West Virginia.

**For Sale**  
Black Percheron Mare 3 years old weight about 1200 pounds, price \$125.00.  
Martin Judy, Cass, W. Va.

**Coal Orders**  
Must be in Saturday by noon for delivery that day. All orders received Saturday afternoon will be delivered Monday.  
Wise Herold

**Baby Chicks**  
Owing to the early drop in egg prices, we have reduced prices on baby chicks to the following prices: White Leghorns \$13 and \$15 per 100. Rhode Island Reds and Plymouth Rocks \$14 and \$16 per 100. Hatching eggs, 1.50 a setting or 2.20 for 2 settings. Place your order now and be sure of chicks on date desired.  
Oak Crest Poultry Farm, Mill Point, W. Va.

**Picoting and Hem-Stitching**  
All orders promptly filled.  
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**Farm for Sale**  
About 212 acres on the Staunton & Parkersburg Turnpike 5 miles east of Bartow. About 40 acres improved, 35 acres in good timber, balance was cut over several years ago, and has nice young timber on it.  
Good 7 room dwelling, some out building, orchard of apples, peaches, pears and cherry trees, large enough to bear some small fruit.  
1-2 mile from school 3 miles from church. Several good springs. This is good mountain farming land and is fine price land.  
Price and terms reasonable.  
CHARLES SPENCER, Bartow, W. Va.

**Work Wanted**  
A middle aged woman desires work in the home. Able to do any kind of housework. Apply to Lou Collins, Cloverlick, W. Va.

**Cattle Wanted**  
FOR GRAZING  
I can graze 40 head of young cattle on my farm on Clover Creek this summer.  
LIGON PRICE, Marlinton, W. Va.

**Spring Millinery**  
All who are interested in their Easter Bonnets are invited to call on Miss Ella Patehard at Dunmore and see the new pattern hats arriving every day until Easter. If you have a good last year's hat bring it and have it made over.  
J. L. GRAGG, Cass, W. Va.

**Land For Sale**  
Farm of 102 acres on head of Laurel Creek at Woodrow post office. Part cleared and part outcovey. For particulars apply to Lloyd VanRensselaer, Woodrow, W. Va.

**Marlinton Poultry Yard**  
We handle Grit, Oyster Shells, Charcoal, Chick Food, Etc.  
Marlinton, W. Va.

**FOR RENT**  
Boarding house at Raywood, W. Va. For particulars apply to Warn Lumber Corp., Raywood, W. Va.

**FOR SALE**—In the village of Frost, about two and one half acres of land with six room house, cow stable and other buildings. Apply to E. J. RHEA, Frost, W. Va.

M. M. LOCKRIDGE, Attorney-at-Law, Huntersville, W. Va. Prompt and careful attention given to all legal work.

A. F. EDGARS, Attorney-at-Law, Marlinton, W. Va. Courts: Pocahontas and adjoining counties and the Supreme Court of West Virginia.

RAYMOND HILL, Attorney-at-Law, Marlinton, W. Va. Will practice in the courts of Pocahontas and Greenbrier counties, and in the Supreme Court of Appeals of West Virginia.

ANDREW PRICE, Attorney-at-Law, Marlinton, W. Va.

W. A. BRATTON, Attorney-at-Law, Marlinton, W. Va. Prompt and careful attention given to all legal business.

S. G. McNEEL, Attorney-at-Law, Marlinton, W. Va. Will practice in the courts of Pocahontas and adjoining counties, and in the Supreme Court of Appeals of the state of West Virginia.

L. M. McCLINTIC, Attorney-at-Law, Marlinton, W. Va. Will practice in the courts of Pocahontas and adjoining counties and in the Supreme Court of Appeals.

P. T. WARD, ATTORNEY-AT-LAW, Marlinton, W. Va.

J. E. BUCKLEY, ATTORNEY-AT-LAW, Marlinton, W. Va. Prompt and careful attention given to all legal business.

DR. E. G. HEROLD, DENTIST, MARLINTON, W. VA. Offices in Marlinton Electric Co. Bld.

A. C. BARLOW, Veterinarian and Dentist, Onoto, W. Va.

A. CLYDE HEROLD, AUCTIONEER

Mill Gap, Virginia. The best in the south, satisfaction guaranteed. I can't be still, write or phone me.

R. S. JORDAN, CABINET MAKER, Marlinton, W. Va. Furniture made to order and old furniture repaired.

M. C. SMITH, Veterinarian, Hillsboro, W. Va. All calls by mail or phone given prompt attention.

STUART & WATTS, REAL ESTATE BROKERS, Lewisburg, W. Va. We make a specialty of Greenbrier Valley Farming Land. See our representative L. P. McLaughlin, Hillsboro, W. Va.

DR. CHAS. S. KRAMEE, DENTIST, First National Bank Building, Phone Marlinton, W. Va.

L. O. SIMMONS, BICYCLE REPAIR SHOP, Marlinton, W. Va.

CHARLES SHINABERRY, GENERAL AUCTIONEER, Cloverlick, W. Va. All calls given prompt attention.

A. J. SHARP, AUCTIONEER, Cloverlick, W. Va. Phone Marlinton Central.

DR. F. V. LONERGAN, CHIROPRACTOR, Marlinton, W. Va. Offices at A. C. Bostle's, Camden Ave.

W. A. BARLOW, OLD RELIABLE AUCTIONEER, Onoto, W. Va. All calls answered.

WAR. O. RUCKMAN, LICENSED AUCTIONEER, Millpoint, West Virginia. A young man with the goods.

Z. S. Smith, Undertaker and Funeral Director, LICENSED EMBALMER, MARLINTON, W. VA.

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MARLINTON, W. VA. FORD Cars and Supplies FORDSON Tractors. A full line of Ford products and supplies always in stock.  
J. L. BAXTER, Propr.

**Chiropractic**  
Dr. F. V. Loneragan has located in Marlinton for the practice of Chiropractic. Offices at the home of A. C. Bostle, on Camden Avenue, near the Marlinton Hotel, where he can be found at all times.

**Application for Parole**  
Notice is hereby given that on the 14th day of April, 1923, an application will be made to Honorable E. F. Morgan, the Governor of West Virginia, for the parole of Gilbert Tilley, who was sentenced on March 13, 1922, in the Circuit Court of Pocahontas County, to serve three years in the penitentiary, upon his confession of larceny.

**Durbin Mercantile Co.**  
Durbin, W. Va. Pocahontas Supply Company, Cass, W. Va.